

**CITY OF SOUTH JORDAN
ELECTRONIC
PLANNING COMMISSION MEETING
COUNCIL CHAMBERS
July 11, 2023**

Present: Commissioner Michele Hollist, Commissioner Nathan Gedge, Commissioner Steven Catmull, Commissioner Laurel Bevans, Deputy City Engineer Jeremy Nielson, Assistant City Attorney Greg Simonsen, City Planner Greg Schindler, Deputy City Recorder Cindy Valdez, Senior IS Tech Phill Brown, IT Director Jon Day, GIS Coordinator Matt Jarman, Meeting Transcriptionist Diana Baun, Planner Damir Drozdek, Planner I Miguel Aguilera

Others: Megan Visser, Kathy Garrett, Priscilla Garrett, Lisa Hunt, Jayna Nielson, Allison Morgan, Kelsey Berg, Nichole Spencer, Matt Visser, Cassandra Fairclough, Bryan F., Trevor Spencer, John Warnick, Tyler White, Bennion Gardner

Absent: Commissioner Aaron Starks, Commissioner Trevor Darby

**6:32 P.M.
REGULAR MEETING**

A. WELCOME AND ROLL CALL – *Chair Michele Hollist*

Commissioner Michele Hollist welcomed everyone to the Electronic Planning Commission Meeting and excused Commissioners Aaron Starks and Trevor Darby who were unable to attend.

B. MOTION TO APPROVE AGENDA

Commissioner Bevans motioned to approve tonight’s agenda as published. Chair Hollist seconded the motion; vote was unanimous in favor. Commissioners Starks and Darby were absent from the vote.

C. APPROVAL OF THE MINUTES

C.1. June 13, 2023 Planning Commission Meeting Minutes

Commissioner Catmull motioned to approve the June 13, 2023 Planning Commission Meeting Minutes as published. Chair Hollist seconded the motion. Vote was unanimous in favor; Commissioner Gedge abstained from the vote. Commissioners Starks and Darby were absent from the vote.

D. STAFF BUSINESS - *None*

E. COMMENTS FROM PLANNING COMMISSION MEMBERS

Commissioner Laurel Bevans gave a brief review of the June 20, 2023 City Council Meetings.

F. SUMMARY ACTION - *None*

G. ACTION

G.1. SAGEWOOD BARN SITE PLAN

Planner Damir Drozdek reviewed background information from the Staff Report.

Chair Michele Hollist asked to review images from the Staff Report.

Deputy City Engineer Jeremy Nielson noted that the right turn pocket is shown on the images in tonight's meeting packet.

Commissioner Laurel Bevans addressed the applicant, asking about the existing garage on the site plan and whose property that is located on.

Megan Visser (Applicant) responded the garage is on the property purchased from her parents, and under her control.

Commissioner Nathan Gedge noted he will be abstaining from voting for this item as he was not present for the original hearing and discussion.

Commissioner Steve Catmull discussed previous motions and interpretations.

Chair Hollist noted that she is still uncomfortable with the delay and timing, however it sounds like the city's planning department put timing in place and led the applicant to believe that would be acceptable, based on their interpretation of the city council's condition. She will let that go, but agrees with the previous discussion that when a condition is put in place it should be developed with the project.

Commissioner Catmull motioned to approve File No. PLSPR202300005, Sagewood Barn Site Plan, subject to the city's receipt of an acceptable bond. Chair Hollist seconded the motion. Roll Call Vote was 3-0, unanimous in favor; Commissioner Gedge abstained from the vote. Commissioners Starks and Darby were absent from the vote.

H. ADMINISTRATIVE PUBLIC HEARINGS

H.1. DAYBREAK VILLAGE 13 PLAT 1 PRELIMINARY SUBDIVISION

Address: 7092 S South Jordan Pkwy

File No.: PLPP202300059

Applicant: Perigree Consulting on behalf of Miller Family Real Estate

City Planner Greg Schindler reviewed background information from the Staff Report.

Commissioner Nathan Gedge asked about site plan review.

Planner Schindler responded that site plans for Daybreak do not go through city staff.

Chair Michele Hollist opened the public hearing for comments. There were no comments and the hearing was closed.

Commissioner Gedge discussed the future property to the west with annexation potential, suggesting preliminary site plans not be given full control through the developer in any master development agreements.

Commissioner Gedge motioned to approve File No. PLPP202300059, Preliminary Subdivision, subject to all South Jordan City requirements being met prior to the recording the plat. Chair Hollist seconded the motion. Roll Call Vote was 4-0, unanimous in favor. Commissioners Starks and Darby were absent from the vote.

H.2. DAYBREAK VILLAGE 10 NORTH PLAT 4 PRELIMINARY SUBDIVISION

Address: Generally Southwest of 5600 W and 10200 S

File No.: PLPP202300058

Applicant: Perigree Consulting on behalf of Miller Family Real Estate

City Planner Greg Schindler reviewed background information from the Staff Report.

Chair Michele Hollist asked about the intended uses of the VP Daybreak Operations lots.

Planner Schindler responded they are not a part of this plat and have been subdivided this way for 15 years; they were created as open space lots for the future.

Chair Michele Hollist opened the public hearing for comments.

Trevor Spencer (Resident) – we want to understand what that development is intended to be, it sounded like it's public works buildings.

Chair Hollist closed the public hearing.

Planner Schindler gave a description of what will be built on the specific lots.

Commissioner Bevans motioned to approved File No. PLPP202300058, Preliminary Subdivision, subject to all South Jordan City requirements being met prior to recording

the plat. Chair Hollist seconded the motion. Roll Call Vote was 4-0, unanimous in favor. Commissioners Starks and Darby were absent from the vote.

**H.3. DAYBREAK URBAN CENTER PLAT 1 PRELIMINARY
SUBDIVISION**

Address: Generally west of Grandville Avenue between Lake Avenue and 11000 South

File No.: PLPP202300063

Applicant: Perigree Consulting on behalf of Miller Family Real Estate

City Planner Greg Schindler reviewed background information from the Staff Report.

Chair Michele Hollist asked if these P lots were intended to be parking lots.

Planner Schindler responded that they are used to designate parks or another type of open space for public gathering.

Commissioner Nathan Gedge asked to confirm that other than this hearing and the vacation of some right of way in the area, there will be no other opportunities for public comment.

Planner Schindler responded that is correct.

Commissioner Gedge noted his disappointment that a major project this size coming to the city will not have any citizen involvement past tonight.

Chair Hollist opened the public hearing for comments. There were no comments and the public hearing was closed.

Commissioners and staff discussed the requirements and processes for site plan review and approval, both inside Daybreak and through the rest of the city.

Commissioner Laurel Bevans asked if the C lots marked on the maps could be turned into parking lots at a later date.

Planner Schindler replied that yes, they could turn into ground level parking lots or parking structures.

Commissioner Laurel Bevans asked if, with the ballpark going here, there is a requirement for number of parking spots.

Planner Schindler responded there is a requirement in the city code, which must be followed even in Daybreak. However, there is a provision in the master development agreement where Daybreak can reduce the number of parking spaces required based on proximity to transit stops.

Assistant City Attorney Greg Simonsen referred back to their training on subdivision plats, where they learned that only the preliminary subdivision plat comes before the planning commission. The final plat is reviewed and checked off for the additional requirements by staff, and that is how the process has been set up by the legislative body. He added that the plat for the ballpark will be recorded, which gives notice to the public of what has been approved and more details.

Commissioner Gedge asked if the requirements for staff review are different for Daybreak.

Attorney Simonsen said there is a requirement for Daybreak, that all South Jordan requirements are met prior to recording the plat. He reviews all the Daybreak plats submitted, and in general they look like any other plat being recorded.

Commissioner Gedge predicts lots of public feedback in the next two years in regards to this area and the ballpark, and asked that the city council and the Miller Group create talking points, wording or messaging for newsletters to make sure there is communication with the general public.

Commissioner Gedge motioned to approve File No. PLPP202300063, Preliminary Subdivision, subject to all South Jordan City requirements being met prior to recording the plat. Chair Hollist seconded the motion. Roll Call vote was 4-0, unanimous in favor. Commissioners Starks and Darby were absent from the vote.

H.4. SHIELDS LANE SUBDIVISION AMENDED, SUBDIVISION AMENDMENT

Address: 1720 W Shields Ln

File No.: PLPLA202300036

Applicant: Allison Morgan

Planner Miguel Aguilera reviewed background information from the Staff Report.

Chair Michele Hollist reviewed maps from the staff report, noting that she believed both Santorini Village and these lots had the same zoning overlay, possibly a Commercial-Mixed Use.

Planner Greg Schindler noted that both areas were probably zoned as mixed use prior to the sale, when the council approved a rezone of part of the property to a Commercial Zone.

Commissioner Nathan Gedge asked if there are any concerns with traffic exiting either of the two lots being discussed tonight going eastbound on Shields Lane, especially with the convenience store/gas station on the corner.

Deputy City Engineer Jeremy Nielson replied there were no concerns, as they are working to combine the accesses with the Kum & Go access. If staff finds there are hazards or issues being caused there, they can restrict access in the future.

Chair Hollist invited the applicant up to speak, she had nothing to add to the staff report.

Chair Hollist opened the public hearing for comments.

Lisa Hunt (Resident) my concern is with the traffic. I had a number of questions, right now the traffic on Emporio is heavy and we have residents that park on both sides of that road, so it's a very narrow driveway going into Santorini. From the map we received in the mail, it appeared as if there was a driveway going into the parking lot of this area, or going out so they could come in by Kum & Go, but then go out the other way. Am I reading the map correctly? Has there been any consideration for doing a median on 9800 South, and if so does that mean the street will need to be widened. Concerning the parking lot, our townhomes are very close to the parking lot. When the gas station went in they were very strategic as to where they put their lighting, so that during the evening it wasn't shining right into bedroom windows. They did plant trees, and that will help with some of the lighting. Lastly, when the eight foot retaining wall was put in they ended up breaking our sprinkler system. On Emporio, Santorini HOA is responsible for that park strip in front and I wonder if that is going to change to the new owners; who will be responsible for that park strip there. Will there be a fence between the two properties. I can see where the driveway comes in from Kum & Go., but couldn't tell if there was a fence there or just a line dividing the two properties.

Jayna Nielson (Resident) my concern is the entrances to these properties, are they going to be on Shield's Lane or Emporio Ave. We were concerned about increased traffic in the neighborhood, especially if it's going to be a school going in there. I am real familiar with pick up and drop off times, and how people will sit in a line to pick up and drop off their children, and I don't want then sitting in my neighborhood to pick up their kids.

Chair Hollist closed the public hearing. She noted that some of the comments and questions tonight will be relevant to the actual site plan application, so they will answer them as they make sense for this particular item for the subdivision.

Engineer Nielson address the entrances, stating there will be two entrances into this daycare. One off Emporio Drive on the east side, with the other combined with the Kum & Go station. Both accesses will be full access at this point in time. In regards to evaluating roads, there are all kinds of reports done, including safety reports, to see if there is an increase in accidents. When they see that kind of increase, staff evaluates what could be done to improve the safety; part of that evaluation is the consideration of restricting access.

Planner Schindler noted that with regards to maintaining the park strip currently owned by the HOA, it should have a new owner but he's not sure how the development agreement was written up. Normally the adjacent property owner takes care of the park strips.

Commissioner Gedge noted that any issues between the HOA and current property owners would be a civil issue.

Chair Hollist acknowledged they will need to address the lighting issues and parking with the next item. Regarding the fence, that is usually required between different uses, but these are not different zones and she asked staff about any fencing requirements here.

Planner Aguilera responded that on the east side the applicant is showing a six foot vinyl fence along the perimeter, visible on the site plan. It is his understanding that there is currently a masonry wall on the other side.

Commissioner Gedge asked if this property and the Kum & Go have different property owners, and if so, do they need to have a cross access agreement to allow for the sharing of the entrance.

Engineer Nielson responded yes, that is one of the conditions for the next item's approval.

Commissioner Gedge motioned to approve File No. PLPLA202300036, Amended Subdivision Amendment, with the condition of a cross access agreement. Chair Hollist seconded the motion. Roll Call Vote was 4-0, unanimous in favor. Commissioners Starks and Darby were absent from the vote.

H.5. EVERBROOK ACADEMY DAYCARE CENTER SITE PLAN APPLICATION

Address: 1720 W Shields Ln

File No.: PLSPR202300037

Applicant: Allison Morgan

Planner Miguel Aguilera reviewed background information from the Staff Report.

Chair Michele Hollist asked about the square footage calculations, if it was typical for 40% of the square footage to be excluded from those calculations including hallways, pantries, etc. Is there anything in the code that excludes them from converting those spaces into classrooms at a later date.

Planner Aguilera responded the corridor space is included in the overall square footage for parking. The code defines floor area as existing occupied areas, and that's how staff interpreted it to mean all the classrooms, multipurpose room and the lobby, but not spaces like bathrooms, laundry and the pantry.

Staff and commissioners discussed spaces used for calculations in the past, as well as how the calculations were made for this space.

Chair Hollist asked if a pick up and drop off plan was submitted.

Planner Aguilera responded there was a traffic pick up/drop off memo, with the hours of operation typically from 6:00 am to 6:00 pm. However, as a daycare people will come and go with kids at different times.

Commissioner Gedge asked what agency will be regulating the childcare portion of this application, whether that's the county or state. Also, with this being next to a convenience store, are there any issues with pedestrian access in the shared parking lot.

Engineer Nielson noted staff didn't have any concerns with pedestrian access and that the city does not regulate safety items regarding the daycare.

Commissioner Steve Catmull asked if the Kum & Go has a license to serve alcohol, and if so, are there any proximity requirements near a school. He also asked who checks for proximity to convicted felons and other safety issues like that.

Planner Schindler reiterated that the city does not deal with the safety licensing of daycare businesses, and noted that the Kum & Go was built first and had the liquor license before this was proposed.

Chair Hollist asked to address the public comments from the previous item related to lighting.

Planner Aguilera discussed the applicant's photometric plan submitted with the commission, noting it meets all city requirements.

Commissioner Bevans noted there was little to no lighting at the back of the playground and asked if that will be an issue when it gets dark earlier.

Chair Hollist asked if a queue is used in the drop off plan, what happens if it extended onto a road.

Engineer Nielson responded that queuing issues will trigger staff to speak with the business and work with them to avoid creating a hazard. Regarding potential police enforcement with queuing onto streets, if they are public streets like Emporio, there are no restrictions in terms of parking while waiting on a public street.

Commissioner Bevans asked if the code looks at daycares and preschools differently.

Planner Schindler responded in the uses section they are not different, the definitions list both at the same time.

Commissioner Gedge noted that since both are listed in this zone, no conditional use is required.

Commissioner Bevans asked about it being a corner lot and having two addresses.

Planner Schindler responded that each frontage must have an address, and the lot is recorded with both addresses. However, before construction the county chooses one address for the lot.

Allison Morgan (Applicant) – Regarding maintenance of the right of way, it is her assumption that since this property was removed from the Santorini zoning with a subsequent development

agreement, the HOA may be maintaining that area as a matter of practice. However, their landscape plan shows their improvements and that they would be responsible for the right of way adjoining both Emporio and Shields. Whether documented or not, she is agreeable to that condition. This is a daycare facility, not a school with a start and stop time, so there is no queuing plan or one way circulation because it functions more like a retail parking lot. Parents are required to escort their children in for drop off by badging into the building, signing in and dropping off the kids, same with picking up the kids at the end of the day. Her role in this transaction is the developer of the building, which is leased to the tenant who is the actual operator. She will be responsible for constructing the building in accordance with city requirements for Certificate of Occupancy, then the tenant comes through and procures the licensing. She believes the state is the one who licenses the daycare, and they have a very rigorous inspection process. Once the Certificate of Occupancy inspection process is passed, then state licensing comes through and checks everything including the play area and fencing. She doesn't anticipate the proximity to the Kum & Go being an issue, as in other municipalities where there has been a restriction on the use it has been a city code or liquor license issue. In the tenants' operational experience, they are aware the store is there and they are not concerned. The tenants operate other schools in the Salt Lake Metro area, and throughout the nation, and are familiar with Utah's licensing requirements. Regarding capacity, she believes state maximum licensing for this facility would be approximately 160 enrolled students. They do age infant through school age at part-time and full-time, so it's not expected that 160 children will be there all day together. Staff can range up to 20 people she believes at full capacity, and the staffing fluctuates with the enrollment. Operating hours are expected to be around 6:00 am to 6:00 pm, Monday through Friday only. She anticipates sufficient parking for drop off needs even if staffing is at the max capacity of 20. Lighting was discussed, she was unsure if during the darker winter months they would have the kids go out and play after 4:00 pm. There are no blind spots in these play areas, everything is fenced and corralled so no kids can sneak around corners anywhere; she imagines lighting is taken into consideration with that in mind as well. If there was a concern from the operator and they wanted to install additional lighting, there are aware that would require additional city review at that time.

Commissioner Bevans noted that at the ARC meeting there appeared to be a gate coming out of the east side of the playground, but she doesn't see it on the plans in front of her tonight.

Ms. Morgan responded that gate had been removed and was an error.

Commissioner Bevans asked about access, whether it's open to the public or only available with a key card.

Ms. Morgan noted there is only the one front door that opens into the lobby/reception area. That lobby area may be open to the public, but beyond that they are restricted and keyed areas. Every classroom exits directly into a fenced hallway/sidewalk to get to the play area, which avoids having children running through the building and disrupting other classrooms. Egress is not an issue, however there is no public access through a non-fenced area.

Chair Hollist opened the public hearing for comments.

Jayna Nielson (Resident) – We were concerned about the amount of traffic going through Santorini Village because Emporio Drive hooks up to Santorini Drive, which will take you either around the subdivision or over to Redwood Road. We were concerned with a lot of traffic going through that area. Parking is another big thing with that because there are a lot of residents that park on the street on Santorini, and there are lanes through there just for the garages.

Cassandra Fairclough (Resident) - since Kum & Go has come in, I have noticed an increase in traffic and I am concerned again with the increased traffic. There is a stop sign at the corner of Emporio and Santorini that I see people run all the time, and there are children everywhere. I am concerned about the increased people coming into the community. I noticed the other day as I went into Kum & Go that they have currently blocked their access to Redwood Road, and I don't know if that is going to change or not. I don't know if that is going to increase the traffic that goes into our community. Even though they talked about no drop off times for the proposed academy, there are oftentimes in the morning when I go to leave for work already and I have to wait for people on Emporio to make a left hand turn, then I have to make a left hand turn as well on Shields. It already is a concern for me and I assume others in the community, but I just wanted to voice my concerns with the traffic that has already increased with the Kum & Go and concerns with the new proposed academy.

Lisa Hunt (Resident) – Cassandra brought up a really good question, what are the procedures that you follow to put speed bumps on A public road.

Chair Hollist closed the public hearing. She then asked staff to address questions from the public comments.

Engineer Nielson discussed road ratings, noting they did traffic counts on Santorini Drive in 2018, prior to the Kum & Go. At that time, the road was a level of service B, with about 400 vehicles per day; which is really good for a residential street. There is traffic, but from a citywide perspective it is pretty light.

Chair Hollist asked if the alleyways in the neighborhood are marked as a private lanes, local access only, etc.

Engineer Nielson responded they usually aren't marked with those types of signs, but with blue street coordinate signs used for private lanes. Since it's private, the owner could put a sign up saying whatever they want since it's not city controlled. Santorini and Emporio are both public roads, and the counts on Emporio are available, but from 2017. At that time, Emporio did have a bit more traffic, about 600 vehicles per day, which would still put it at a level of service B.

Commissioner Gedge noted that since both Santorini and Emporio are public roads, they are open to anybody who wishes to travel them, since they are owned by the city.

Engineer Nielson discussed speedbumps on a public road, stating that if there are concerns regarding speeding staff can definitely do a speed study and the traffic committee will analyze

those results, making suggestions for action to be taking by the city if the study indicates issues. Regarding speedbumps specifically, that is not a traffic calming measure the city does any longer as the practice was stopped back in the 90s for many reasons, one being liability with vehicles being damaged on the bumps. He also discussed enforcement of stop signs, as that is a citywide issue with drivers on low volume local streets. There have been quite a few counts in subdivisions, and on average about 20% of drivers unfortunately completely ignore stop signs on residential streets.

Chair Hollist asked about the Kum & Go's Redwood access blockage, and if that is temporary.

Engineer Nielson assumes it is temporary, but he was not aware of it so he will have to look into it since they do need that access open.

Commissioner Gedge believes that access might be blocked due to vehicles moving northbound on Redwood Road trying to cross over and access off the Redwood Access into the Kum & Go with a left hand turn across the three lanes. He would also like to know what the official reason is, as they may need to look at other measures to prevent that type of activity.

Assistant City Attorney Greg Simonsen noted that having filled up at the station this morning, at that time you could make a right hand turn off Redwood Road into the Kum & Go. If you wanted to make a right hand turn out of Kum & Go directly on to Redwood, that was still blocked. He doesn't know the reason, possibly a UDOT permit issue or something else, but you still could access off Redwood Road into the Kum & Go as of this morning.

Engineer Nielson agreed to look into the issue.

Commissioner Bevans asked if staff knew how close the access on Shields Lane is to Redwood coming out of the Kum & Go.

Engineer Nielson responded it's roughly about 280 feet.

The commissioners and staff discussed the accesses at the Kum & Go and options for joining into and leaving traffic while entering and exiting the station, as well as the traffic options for Santorini Village residents.

Commissioner Gedge asked about resident concerns with parking on both sides of the road in Santorini Village, and whether that posed a concern for emergency access, garbage collection and other city services to staff.

Engineer Nielson noted there are pockets for parking along Santorini Drive, with the road width being at least as wide as Daybreak Roads, if not a little bit wider; that does not include the additional width where there are parking pockets.

Commissioner Bevans motioned to approve File No. PLSPR202300036, Site Plan Application, with the condition of the cross access easement.

Commissioner Catmull noted that the address listed may not be the official address for the business, and asked if that could be an issue in the future since that address is the only one referenced for this motion.

Commissioners and staff discussed options, deciding it was best to use the address of the current parcel since it will be subdivided in the future.

Commissioner Bevans asked about addressing the park strip maintenance in their motion.

Commissioners and staff discussed options, with Planner Schindler noting the applicant agreed, on record, that they would maintain that area.

Chair Hollist seconded the motion. Roll Call Vote was 4-0, unanimous in favor. Commissioner Stark and Darby were absent from the vote.

I. LEGISLATIVE PUBLIC HEARINGS - *None*

J. OTHER BUSINESS

Commissioners and staff discussed this being the only meeting in the month of July.

ADJOURNMENT

Chair Hollist motioned to adjourn the July 11, 2023 Planning Commission Meeting. Commissioner Gedge seconded the motion; vote was unanimous in favor. Commissioners Starks and Darby were absent from the vote.

The July 11, 2023 Planning Commission Meeting adjourned at 8:30 p.m.

This is a true and correct copy of the July 11, 2023 Planning Commission minutes, which were approved on August 8, 2023.